

**701—65.12(452A) Combined storage—bulk sales—highway/aircraft sales or use.** If a person is operating under both a special fuel distributor's license and a special fuel dealer's or user's license, special fuel may be dispensed for bulk nontaxable sales and for taxable highway or aircraft sales from the same storage if, and only if, the following requirements are complied with:

1. All pumps which are of such a design to be able to fuel motor vehicles or aircraft must be licensed, sealed, metered and inspected as provided in rule 65.8(452A).
2. All fuel passing through the pumps is taxed unless supported by exemption certificates.
3. All pumps which are not licensed, sealed, metered, and inspected must be of such a design that it is impossible to use them to place fuel into the fuel supply tank of a motor vehicle or aircraft or into a motor vehicle or aircraft special fuel holding tank.
4. Accurate records must be kept showing all purchases of fuel and all nontaxable bulk sales of fuel.

All special fuel which is placed in this combined storage is presumed to be for highway or aircraft use and taxable unless supported by exemption certificates (for fuel passing through the licensed pumps) or detailed records showing bulk sales for nonhighway use or to other users or dealers (for fuel passing through the nonlicensed pumps). (See 1968 O.A.G. 592.) If at any time the licensee fails to comply with the requirements of this rule, separate storage for taxable sales and nontaxable bulk sales will be required under rule 65.11(452A).

Persons licensed only as a special fuel dealer or special fuel user are also allowed to use combined storage, provided they also comply with the above provisions.

This rule is intended to implement Iowa Code sections 452A.34, 452A.37, and 452A.38.